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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

CHARLES OROSCO,

Defendant and Appellant.

E046348

(Super.Ct.No. RIF124414)

OPINION

APPEAL from the Superior Court of Riverside County. Thomas H. Cahraman,
Judge. Affirmed.

Stephen S. Buckley, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

STATEMENT OF THE CASE

A felony complaint was filed on June 23, 2005, by the District Attorney of
Riverside County. In that complaint, Charles Orosco was charged with three counts of
lewd and lascivious acts against a child under the age of fourteen years in violation of

Penal Code section 288, subdivision (b)(1).¹ Thereafter, on May 8, 2006, defendant pled not guilty to all charges and waived time for a preliminary hearing.

Between May 19, 2006, and May 1, 2008, various proceedings were set and continued twenty-nine times within which multiple waivers of time for the preliminary hearing and trial were entered, most of which were at defendant's request.

On May 21, 2008, pursuant to section 1192.7, defendant, represented by counsel pled guilty to all three counts as charged in the felony complaint for an agreed-to disposition of 18 years in state prison less custody credits.

STATEMENT OF FACTS²

The parties stipulated that the police report formed the factual basis for the plea.

On March 11, 2005, Officer Felix Medina, Jr., of the Riverside Police Department spoke to the victim, John Doe, who was 21 years of age at the time, and learned that the victim had been sexually molested as a child occurring over approximately a two-year period. The victim did not tell anyone because he feared for his life and was embarrassed.

Riverside Police Department Detective Masson, a member of the Sexual Assault Child Abuse Unit, investigated the victim's statement. The victim confirmed that he had secretly recorded a conversation with defendant in March 2005. After Detective Masson

¹ All further references are to the Penal Code unless otherwise indicated.

² Because no preliminary hearing was conducted and no probation officer's report was filed, the statement of facts is taken from the two page declaration in support of the arrest warrant and the admission in defendant's plea agreement.

listened to the recording, she was able to discern that defendant acknowledged that the victim was approximately 12 years old when the molestation began and ended when the victim was approximately 15 years of age in 1998.

The victim, born in April 1983, told Detective Masson that defendant had been a family acquaintance since 1985 and that defendant had sexually molested him from age 12, ending at age 15 in 1998, when he was in 9th grade at a local Riverside high school.

On March 23, 2005, Detective Masson monitored a pre-test phone call during which defendant told the victim that he did not realize what he was doing at the time, had no answers for his conduct, and could not explain his immature behavior except to state that he had sexual curiosities.

Finally, Detective Masson stated that she had numerous phone conferences with defendant in which defendant denied all of the allegations and stated that he only admitted them because the victim had become angry at him and he wanted the victim to get psychological therapy.

Defendant appealed, and upon his request this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 [87 S.Ct. 1396, 18 L.Ed.2d 493] setting forth a statement of the case, a summary of the facts, and potential arguable issues and requesting this court to undertake a review of the entire record.

We offered the defendant an opportunity to file a personal supplemental brief, which he has not done.

We have now concluded our independent review of the record and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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RAMIREZ
P.J.

We concur:

HOLLENHORST
J.

McKINSTER
J.